



General Assembly

January Session, 2013

***Raised Bill No. 884***

LCO No. 3199



Referred to Committee on AGING

Introduced by:  
(AGE)

***AN ACT INCREASING ELIGIBILITY FOR HOME AND COMMUNITY-BASED CARE FOR ELDERLY PERSONS AND THOSE WITH ALZHEIMER'S DISEASE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (c) of section 17b-349e of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2013*):

4 (c) (1) No individual with Alzheimer's disease may participate in the  
5 program if such individual (A) has an annual income of more than  
6 [forty-one] fifty thousand dollars or liquid assets of more than [one  
7 hundred nine] one hundred eleven thousand dollars, or (B) is receiving  
8 services under the Connecticut home-care program for the elderly. On  
9 July 1, [2009] 2014, and annually thereafter, the commissioner shall  
10 increase such income and asset eligibility criteria over that of the  
11 previous fiscal year to reflect the annual cost of living adjustment in  
12 Social Security income, if any.

13 Sec. 2. Subsection (i) of section 17b-342 of the general statutes is  
14 repealed and the following is substituted in lieu thereof (*Effective July*

15 1, 2013):

16 (i) (1) On and after July 1, 1992, the Commissioner of Social Services  
 17 shall, within available appropriations, administer a state-funded  
 18 portion of the program for persons (A) who are sixty-five years of age  
 19 and older; (B) who are inappropriately institutionalized or at risk of  
 20 inappropriate institutionalization; (C) whose income is less than or  
 21 equal to the amount allowed under subdivision (3) of subsection (a) of  
 22 this section; and (D) whose assets, [if single, do not exceed the  
 23 minimum community spouse protected amount pursuant to Section  
 24 4022.05 of the department's uniform policy manual or, if married, the  
 25 couple's assets do not exceed one hundred fifty per cent of said  
 26 community spouse protected amount and on and after April 1, 2007,  
 27 whose assets, if single, do not exceed one hundred fifty per cent of the  
 28 minimum community spouse protected amount pursuant to Section  
 29 4022.05 of the department's uniform policy manual or, if married, the  
 30 couple's assets do not exceed two hundred per cent of said community  
 31 spouse protected amount] on and after July 1, 2013, if single, do not  
 32 exceed forty thousand dollars or, if married, do not exceed sixty-five  
 33 thousand dollars.

34 (2) Except for persons residing in affordable housing under the  
 35 assisted living demonstration project established pursuant to section  
 36 17b-347e, as provided in subdivision (3) of this subsection, any person  
 37 whose income is at or below two hundred per cent of the federal  
 38 poverty level and who is ineligible for Medicaid shall contribute  
 39 [seven] six per cent of the cost of his or her care. Any person whose  
 40 income exceeds two hundred per cent of the federal poverty level shall  
 41 contribute [seven] six per cent of the cost of his or her care in addition  
 42 to the amount of applied income determined in accordance with the  
 43 methodology established by the Department of Social Services for  
 44 recipients of medical assistance. Any person who does not contribute  
 45 to the cost of care in accordance with this subdivision shall be  
 46 ineligible to receive services under this subsection. Notwithstanding  
 47 any provision of the general statutes, the department shall not be

48 required to provide an administrative hearing to a person found  
49 ineligible for services under this subsection because of a failure to  
50 contribute to the cost of care.

51 (3) Any person who resides in affordable housing under the assisted  
52 living demonstration project established pursuant to section 17b-347e  
53 and whose income is at or below two hundred per cent of the federal  
54 poverty level, shall not be required to contribute to the cost of care.  
55 Any person who resides in affordable housing under the assisted  
56 living demonstration project established pursuant to section 17b-347e  
57 and whose income exceeds two hundred per cent of the federal  
58 poverty level, shall contribute to the applied income amount  
59 determined in accordance with the methodology established by the  
60 Department of Social Services for recipients of medical assistance. Any  
61 person whose income exceeds two hundred per cent of the federal  
62 poverty level and who does not contribute to the cost of care in  
63 accordance with this subdivision shall be ineligible to receive services  
64 under this subsection. Notwithstanding any provision of the general  
65 statutes, the department shall not be required to provide an  
66 administrative hearing to a person found ineligible for services under  
67 this subsection because of a failure to contribute to the cost of care.

68 (4) The annualized cost of services provided to an individual under  
69 the state-funded portion of the program shall not exceed fifty per cent  
70 of the weighted average cost of care in nursing homes in the state,  
71 except an individual who received services costing in excess of such  
72 amount under the Department of Social Services in the fiscal year  
73 ending June 30, 1992, may continue to receive such services, provided  
74 the annualized cost of such services does not exceed eighty per cent of  
75 the weighted average cost of such nursing home care. The  
76 commissioner may allow the cost of services provided to an individual  
77 to exceed the maximum cost established pursuant to this subdivision  
78 in a case of extreme hardship, as determined by the commissioner,  
79 provided in no case shall such cost exceed that of the weighted cost of  
80 such nursing home care.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2013</i>	17b-349e(c)(1)
Sec. 2	<i>July 1, 2013</i>	17b-342(i)

***AGE****Joint Favorable C/R*

APP